

Milwaukee County Personnel Review Board

Meeting Minutes

I. Roll Call

Board Member Susan A. Lueger called to order the regular meeting of the Personnel Review Board at 9:05 AM on Tuesday, November 12, 2013 in Room 635 of the Milwaukee County Courthouse.

The following Board Members were present: Ms. Susan A. Lueger, Ms. Jacqueline V. Russell, Ms. Melissa D. Hudson, and Ms. Mary K. Bruno.

II. Approval of Minutes

Ms. Bruno moved, Ms. Hudson seconded and the Board, by vote of 4-0, approved the minutes of the October 29, 2013 meeting.

III. Election of the Officers

Ms. Russell nominated Ms. Lueger for President. Ms. Hudson seconded the nomination and the Board, by vote of 3-0 (Ms. Lueger abstained), then elected Ms. Lueger as President.

Ms. Bruno nominated Ms. Russell for Vice President. Ms. Hudson seconded the nomination and the Board, by vote of 3-0 (Ms. Russell abstained), then elected Ms. Russell as Vice President.

IV. Communications and/or comments from the public, if any

The Board heard the report of Attorney Graham Wiemer, MacGillis Wiemer, LLC, legal counsel for the Deputy Sheriff's Association, to reschedule the matter of Keith M. Villwock for hearing certain. Attorney Lee Jones, Principal Assistant Corporation Counsel for the appointing authority, concurred. Ms. Bruno moved, Ms. Hudson seconded, and the Board voted (4-0) to reschedule the matter of Keith M. Villwock from December 7, 2013 to May 27, 2014.

V. Correspondence

The Board heard the report of Charmaine Gee, Interim Executive Secretary, Office of the Personnel Review Board that LaKia' N. Bobbitt had resigned from her position in County Services effective September 5, 2013. Ms. Russell moved, Ms. Hudson seconded, and the Board voted (4-0) to accept the resignation of LaKia' N. Bobbitt effective September 5, 2013, and closed this case.

VI. First Appearances

A. SUSPENSIONS

MARY E. LAUSIER, Nursing Program Coordinator, BHD

The Board heard the report of Attorney Paul Kuglitsch, Principal Assistant Corporation Counsel, for the appointing authority, to continue the matter of Mary E. Lausier for hearing certain. This continuation is made with the knowledge and consent of Mary E. Lausier, who was not present, that she waived her right to a hearing within 21 days, pursuant to Chapters 63.10 and 63.12, Wis. Stats. Ms. Bruno moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0) scheduled this matter for hearing certain date on Tuesday, June 10, 2014.

TOY B. WASHINGTON, Office Support Assistant, COURTS

The Board heard the request of Calvin Lee, Staff Representative, District Council 48, AFSCME, to continue the matter of Toy B. Washington for hearing certain. This continuation is made with the knowledge and consent of Toy B. Washington, who was present that she waived her right to a hearing within 21 days, pursuant to Chapters 63.10 and 63.12, Wis. Stats. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0) scheduled this matter for hearing certain date on Tuesday, May 27, 2014.

VII. Update

A. GRIEVANCE

DIANA BIAS, Correction Officer, HOC

The Board heard the request of Attorney Paul Kuglitsch, Principal Assistant Corporation counsel, legal counsel for the appointing authority, to reschedule the matter of Diana Bias for hearing certain on December 10, 2013. Attorney Craig Johnson, Sweet and Associates, LLC, legal counsel for District Council 48, AFSCME, concurred. Ms. Hudson moved, Ms. Bruno seconded, and the Board, by unanimous vote (4-0), rescheduled the matter of Diana Bias for hearing date certain on Tuesday, December 10, 2013.

B. DISCHARGE

GERALD SPINA, EMS Instructor, BHD-EMS Division

The Board heard the report of Attorney Paul Kuglitsch, Principal Assistant Corporation counsel, legal counsel for the appointing authority, that the appointing authority was withdrawing the Charges for Discharge against Gerald Spina. Ms. Russell moved, Ms. Hudson seconded, and the Board, by unanimous vote (4-0), accepted the withdrawal of the charges of Gerald Spina and closed this case.

VIII. Hearings

A. DISCHARGE & SUSPENSION

MESHALA L. BELL (PABAI), Certified Nursing Assistant, BHD

DIS dated 03/25/13

SUS dated 01/29/13 for 6 days

(Refer to Agenda item VIII C for the Decision)

B. SUSPENSIONS

RAFAEL LOPEZ, Correctional Officer 1, SHERIFF

SUS dated 09/13/12 for IA # 12-190 for 20 days

SUS dated 09/13/12 for IA # 12-303 for 5 days

SUS dated 09/13/12 for IA # 12-304 for 1 day

SUS dated 11/30/12 for IA # 12-350 for 60 days

SUS dated 01/29/13 for IA # 13-071 for 90 days

The Board heard the report of Attorney Craig Johnson, Sweet and Associates, LLC, legal counsel for District Council 48, AFSCME, that the parties had reached oral resolution agreement. Attorney Paul Kuglitsch, Principal Assistant Corporation Counsel for the appointing authority, concurred.

The terms of the oral agreement are as follows:

- The charges are well founded.
- The 176-day suspension shall be reduced to a 91-day suspension.

Ms. Bruno moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0), accepted the oral agreement and closed this case.

JANEEN D. KREBS, Registered Nurse, BHD

The Board heard the report of Attorney Paul Kuglitsch, Principal Assistant Corporation Counsel for the appointing authority, that Janeen D. Krebs submitted a signed waiver of hearing. Ms. Bruno moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0), accepted the waiver of hearing for Janeen D. Krebs and closed this case.

DIANE M. BLUE, Correction Officer 1, SHERIFF

(Refer to Agenda item VIII C for the Decision)

EDWARD J. HORZEWSKI, Correction Lieutenant, SHERIFF

The Board heard the report of Attorney Paul Kuglitsch, Principal Assistant Corporation Counsel for the appointing authority, that the parties had reached oral resolution agreement. Edward J. Horzewski, who was present, concurred.

The terms of the oral agreement are as follows:

- The charges are well founded.
- The 5-day suspension shall be reduced to a 2-day suspension.

Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0), accepted the oral agreement and closed this case.

ANDREW J. KRASOVICH, Correction Officer 1, SHERIFF

(Refer to Agenda item VIII C for the Decision)

C. HEARINGS

MESHALA L. BELL (PABAI), Certified Nursing Assistant, BHD

DIS dated 03/25/13

SUS dated 01/29/13 for 1 day

The Board heard the report of Attorney Paul Kuglitsch, Principal Assistant Corporation Counsel for the appointing authority, that Meshala L. Bell (Pabai) had submitted a signed waiver of hearing on the notice of Suspension. Attorney Craig Johnson, Sweet and Associates, LLC, concurred. The employee, Meshala Bell Pabai, was present. Ms. Pabai stated for the record that she understood the terms and conditions of the agreement and that she was not coerced into the signing of this agreement. Ms. Russell moved, Ms. Bruno seconded, and the Board, by unanimous vote (4-0), accepted the waiver and closed this case.

The Board then heard the discharge matter of Meshala Bell (Pabai). At 11:51 AM, Ms. Bruno moved, Ms. Russell seconded, and the Board voted (4-0) to go into closed session to deliberate the Meshala Bell (Pabai) matter and go to lunch. Ms. Hudson moved, Ms. Russell seconded, and the Board voted (4-0) to come out of closed session at 12:59 PM.

Ms. Bruno moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0) found the evidence was not sufficient to sustain violations of Civil Service Rule VII, Section (n) but found the evidence was sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraphs (i), (l), (m), (r), (t) and (u), and upheld the discharge.

The Board next heard the Diane M. Blue and the Andrew J. Krasovich matters concurrently.

At 2:16 PM, Ms. Hudson moved, Ms. Russell seconded, and the Board voted (4-0) to go into closed session to deliberate the Diane M. Blue and Andrew J. Krasovich matters.

DIANE M. BLUE, Correction Officer 1, SHERIFF

Ms. Hudson moved, Ms. Russell seconded, and the Board, by vote (4-0) found the evidence was sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraph (l), (t), and (u). Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0) found the penalty of a 30-day suspension too severe and reduced the penalty to a 20-working-day suspension.

ANDREW J. KRASOVICH, Correction Officer 1, SHERIFF

Ms. Bruno moved, Ms. Hudson seconded, and the Board, by unanimous vote (4-0) found the evidence was sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraphs (l), (t) and (u). Ms. Russell moved, Ms. Hudson seconded, and the Board by unanimous vote (4-0) upheld the penalty of a 20-day suspension.

Ms. Bruno moved, Ms. Hudson seconded, and the Board voted (4-0) to come out of closed session at 2:48 PM.

IX. Adjournment

Ms. Russell moved, Ms. Hudson seconded, and the Board, by vote of 4-0, adjourned the meeting at 2:48 PM.

Minutes submitted by: Charmaine J. Gee, Interim Executive Secretary